



W.P.Nos.6586 & 6593 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.02.2025

CORAM:

THE HON'BLE MR.JUSTICE **M.DHANDAPANI**

W.P.Nos.6586 & 6593 of 2025

and

WMP.Nos.7246, 7249 & 7255 of 2025

M/s. Matrix Stampi Limited,
No.19/1 & 4/4, Mailamm – Pondy Road,
Sedarapet, Puduchery – 605 111.
Rep. by its Authorised Signatory.

...Petitioner in both W.P's.

Vs.

1. M.Bupalan ...1st respondent in W.P.No.6586 of 2025
2. S.Janarthanan ...1st respondent in W.P.No.6593 of 2025
3. The Controlling Authority under the
Payment of Gratuity Act, 1972 - Cum -
Labour Officer (Enforcement),
Puducherry.
4. Sub Collector (Revenue South),
Office of Sub-Collector, Revenue South,
Villianur, Puduchery – 605 110.
5. The Tahsildar,
Taluk Office,
Vilianur, Puduchery – 605 110. ...Respondents 2 to 4 in both W.P's.



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Common Prayer: Writ Petitions filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records and quash the show cause notice in Reference No.5040/SCRS/RR/B4/2020/2633 dated 21.11.2024 issued by the 3rd respondent.

In Both W.P's.:

For Petitioner : Mr.Ravi, Senior Counsel
for Ms.S.Indumathi

For Respondents : Mr.V.Vasanthakumar, AGP(P), for R2 to R4

COMMON ORDER

Since the issue involved in both the Writ petitions are similar in nature, they are disposed of by way of this common order.

2. These Writ petitions have been filed seeking quashment of the show cause notice in Reference No.5040/SCRS/RR/B4/2020/2633 dated 21.11.2024 issued by the 3rd respondent.

3. Mr.V.Vasanthakumar, learned Additional Government Pleader (Puducherry) takes notice on behalf of the respondents 2 to 4. In view of the



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consent expressed by the learned counsel on either side, these Writ petitions

are taken up for final disposal at the admission stage itself.

4. Since no adverse order is being passed against the respective 1st respondent in both the Writ petitions, notice to the respective 1st respondent is dispensed with.

5. For brevity, the petitioner in both the Writ petitions are hereinafter referred to as the management and the respective 1st respondent are hereinafter referred to as the workman.

6. It is the case of the management that, the workmen herein filed applications seeking gratuity amount u/s.7(4) of the Payment of Gratuity Act, 1972 r/w. Rule 10(1) of Puducherry Payment of Gratuity Rules, 1973 before the 2nd respondent in G.A.Nos.120 & 119 of 2019 respectively, in which, exparte orders came to be passed on 30.01.2020 directing the petitioner to pay a sum of Rs.4,80,000/- and Rs.2,55,198/- in favour of the workmen along with interest at the rate of 10% per annum. Aggrieved by



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the same, the petitioner filed set aside petitions both with a delay of 1806 days. While such being the case, on the basis of the exparte orders both dated 30.01.2020 made in G.A.Nos.120 & 119 of 2019 respectively, the 4th respondent issued notices dated 06.10.2020 and 13.10.2020 respectively to the petitioner, based on the reference dated 17.09.2020 issued by the 3rd respondent directing the 4th respondent to recover the respective gratuity amounts ordered by the 2nd respondent. Once again, the 3rd respondent issued notices both dated 30.09.2024 directing the petitioner to pay the respective gratuity amounts ordered by the 2nd respondent. Pursuant to which, though the petitioner sent replies both dated 11.11.2024 to the 3rd respondent, without considering the same, the 3rd respondent issued the present impugned show cause notice dated 21.11.2024 to the petitioner to show cause as to why action should not be taken and as to why an arrest warrant shall not be imposed u/s. 48 & 49 of the Pondicherry Revenue Recovery Act, 1970. Challenging the same, the petitioner has come up with these Writ petitions.



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WEB COPY 7. Though very many grounds have been raised, the learned counsel for the petitioner management submitted that, pending proceedings, the petitioner deposited the admitted amount of Rs.2,96,741/- in respect of the workman in W.P.No.6586 of 2025 and Rs.91,096/- in respect of the workman in W.P.No.6593 of 2025 before the Controlling authority along with interest at the rate of 10% p.a. Learned counsel further submitted that, the condone delay petitions filed by the petitioner were subsequently numbered and the same were taken on file as I.A.Nos.10 & 11 of 2025. Learned counsel therefore submitted that, it would suffice, if this Court issues direction to the 2nd respondent to consider the said I.A.Nos.10 & 11 of 2025 on merits and pass appropriate orders within the time fixed by this Court and in the mean time, the respondents 2 to 4 shall not take any coercive steps as against the petitioner.

8. On the above said contentions, heard learned Additional Government Pleader appearing on behalf of the respondents 2 to 4 and perused the materials available on record.



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WEB COPY 9. In view of the limited request made by the learned counsel for the petitioner management, this Court without going into the merits of the case and without interfering with the order impugned, directs the 2nd respondent to consider the petitions filed by the petitioner in I.A.Nos.10 and 11 of 2025 respectively on merits and pass appropriate orders in accordance with law, within a period of four (4) weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, the respective 1st respondent/workmen and other aggrieved persons, if any. Till such time, the official respondents 2 to 4 shall not take any coercive steps as against the petitioner.

10. With the above directions, these Writ Petitions stand disposed of. No costs. Consequently, the connected Miscellaneous Petitions are closed.

26.02.2025

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Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

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M.DHANDAPANI, J.

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